

Marquez, Lillian

From: Braun, Daniel (Law) <dbraun@law.nyc.gov>
Sent: Tuesday, April 18, 2023 2:36 PM
To: remy
Cc: Marquez, Lillian; NYC Law Protest Team; AG-NYPLitigation; Gray Legal Team-External; Payne Litigation Team; Sow-Legal; rolonlegalteam .
Subject: RE: [EXTERNAL] 20-cv-8924, In re NYC Policing - Missing Administrative Guide

Hi Remy,

We can meet with you on this Friday, from 12:00-12:30pm, or from 3-3:30pm.

Daniel M. Braun
Senior Counsel
Special Federal Litigation Division
Office of the Corporation Counsel
100 Church Street
New York, NY 10007
dbraun@law.nyc.gov
212-356-2659

This message and any attached documents contain information from the Office of the Corporation Counsel that may be confidential and/or privileged. If you are not the intended recipient, you may not read, copy, distribute, or use this information. If you received this transmission in error, please notify the sender immediately by reply e-mail and then delete this message.

From: remy green <remy@femmelaw.com>
Sent: Saturday, April 15, 2023 2:53 PM
To: Braun, Daniel (Law) <dbraun@law.nyc.gov>
Cc: Marquez, Lillian <Lillian.Marquez@ag.ny.gov>; NYC Law Protest Team <NYCLawProtestTeam@law.nyc.gov>; AG-NYPLitigation <AG.NYPLitigation@ag.ny.gov>; Gray Legal Team-External <GrayLegalTeam@dwt.com>; Payne Litigation Team <PayneLitigationTeam@nyclu.org>; Sow-Legal <Sow-Legal@blhny.com>; rolonlegalteam . <rolonlegalteam@aboushi.com>
Subject: Re: [EXTERNAL] 20-cv-8924, In re NYC Policing - Missing Administrative Guide

Hi Daniel,

I hope you had a good observance (I don't think I actually saw an out of office, but these things don't always work right -- and I would have directed the follow up to someone else if I'd seen it).

In any event, given that response, please give us some meet and confer dates this week. That was what we asked for in the April 11 email I sent if the City was not committing to an actual production by the end of the month. And the February and March emails also all asked for meet and confer dates. We

do not have the time left in discovery to do anything else. We have been trying to get to the bottom of this for two months now.

Yours,

Remy.

J. Remy Green

Partner

| Cohen&Green P.L.L.C. | [#FemmeLaw](#) |
| remy@femmelaw.com (e) | (929) 888.9560 (direct) |
| (929) 888.9480 (p) | (929) 888.9457 (f) |
| [honorific / pronouns: Mx. / they, their, them](#) |
| 1639 Centre St., Ste. 216 | Ridgewood (Queens), NY 11385 |



On Fri, Apr 14, 2023 at 6:43 PM Braun, Daniel (Law) <dbraun@law.nyc.gov> wrote:

Remy,

As you may have seen from my out of office message, I was out for the past couple of days in observance of Passover.

Once again, we are continuing to look into question regarding the Administrative Guide and anticipate being able to respond by around the end of the month.

Yours,

Daniel M. Braun

Senior Counsel

Special Federal Litigation Division

Office of the Corporation Counsel

100 Church Street

New York, NY 10007

dbraun@law.nyc.gov

212-356-2659

This message and any attached documents contain information from the Office of the Corporation Counsel that may be confidential and/or privileged. If you are not the intended recipient, you may not read, copy, distribute, or use this information. If you received this transmission in error, please notify the sender immediately by reply e-mail and then delete this message.

From: remy green <remy@femmelaw.com>

Sent: Friday, April 14, 2023 12:47 PM

To: Braun, Daniel (Law) <dbraun@law.nyc.gov>

Cc: Marquez, Lillian <Lillian.Marquez@ag.ny.gov>; NYC Law Protest Team <NYCLawProtestTeam@law.nyc.gov>; AG-NYPD Litigation <AG.NYPD Litigation@ag.ny.gov>; Gray Legal Team-External <GrayLegalTeam@dwt.com>; Payne Litigation Team <PayneLitigationTeam@nyclu.org>; Sow-Legal <Sow-Legal@blhny.com>; rolonlegalteam <rolonlegalteam@aboushi.com>

Subject: Re: [EXTERNAL] 20-cv-8924, In re NYC Policing - Missing Administrative Guide

Having not heard, I am assuming this is a production date, since Judge Gorenstein's rules require a response to meet and confer requests.

Sent from a mobile device, please excuse any thumbing or stumbling.

J. Remy Green

Partner

| Cohen&Green P.L.L.C. | #FemmeLaw |

| remy@femmelaw.com (e) | [\(929\) 888.9560](tel:(929)888.9560)(direct) |

| [\(929\) 888.9480](tel:(929)888.9480) (p) | [\(929\) 888.9457](tel:(929)888.9457) (f) |

| honorific / pronouns: [Mx.](#) / [they](#), [their](#), [them](#) |

On Apr 11, 2023, at 6:03 PM, remy green <remy@femmelaw.com> wrote:

Hi Daniel,

Is the "respon[se]" you're referring to a production? If what you're saying is that Defendants will be producing a full copy of the admin guide by the end of the month, that seems fine (subject to a veto from the rest of the CI group).

However, if what you're saying is you're still not agreeing with us that (1) the admin guide is not fully public; (2) Defendants have not produced all of it; and (3) there are non-public parts that are not in the production, I am not sure what there is to look into -- and would appreciate understanding what it is that is taking time. It does not strike me that it takes more than 10 minutes (at most) to figure out that there are admin guide provisions that are not public, and that there are admin guide provisions Defendants have not produced. And that is without Lillian's email spelling out specific examples.

If you're asking for until the end of the month to simply tell us you are refusing to produce, that is not going to work, and we need a meet and confer date.

Yours,

Remy.

J. Remy Green

Partner

| Cohen&Green P.L.L.C. | [#FemmeLaw](#) |
| remy@femmelaw.com (e) | (929) 888.9560 (direct) |
| (929) 888.9480 (p) | (929) 888.9457 (f) |
| [honorific / pronouns: Mx. / they, their, them](#) |
| 1639 Centre St., Ste. 216 | Ridgewood (Queens), NY 11385 |



On Tue, Apr 11, 2023 at 5:59 PM Braun, Daniel (Law) <dbraun@law.nyc.gov> wrote:

Remy,

We are continuing to look into this and anticipate being able to respond by around the end of the month.

Daniel M. Braun

Senior Counsel

Special Federal Litigation Division

Office of the Corporation Counsel

100 Church Street

New York, NY 10007

dbraun@law.nyc.gov

212-356-2659

This message and any attached documents contain information from the Office of the Corporation Counsel that may be confidential and/or privileged. If you are not the intended recipient, you may not read, copy, distribute, or use this information. If you received this transmission in error, please notify the sender immediately by reply e-mail and then delete this message.

From: remy green <remy@femmelaw.com>

Sent: Tuesday, April 11, 2023 2:08 PM

To: Braun, Daniel (Law) <dbraun@law.nyc.gov>

Cc: Marquez, Lillian <Lillian.Marquez@ag.ny.gov>; NYC Law Protest Team

<NYCLawProtestTeam@law.nyc.gov>; AG-NYPDLitigation <AG.NYPDLitigation@ag.ny.gov>; Gray Legal Team-External <GrayLegalTeam@dwt.com>; Payne Litigation Team

<PayneLitigationTeam@nyclu.org>; Sow-Legal <Sow-Legal@blhny.com>; rolonlegalteam .

<rolonlegalteam@aboushi.com>

Subject: Re: [EXTERNAL] 20-cv-8924, In re NYC Policing - Missing Administrative Guide

Hi Daniel,

What is the status of this inquiry?

J. Remy Green

Partner

| Cohen&Green P.L.L.C. | [#FemmeLaw](#) |
| remy@femmelaw.com (e) | (929) 888.9560 (direct) |
| (929) 888.9480 (p) | (929) 888.9457 (f) |
| [honorific / pronouns: Mx. / they, their, them](#) |
| 1639 Centre St., Ste. 216 | Ridgewood (Queens), NY 11385 |



On Fri, Mar 31, 2023 at 5:38 PM Braun, Daniel (Law) <dbraun@law.nyc.gov> wrote:

Lillian,

We are looking into this and will be back in touch with you about it as soon as possible.

Yours,

Daniel M. Braun

Senior Counsel

Special Federal Litigation Division

Office of the Corporation Counsel

100 Church Street

New York, NY 10007

dbraun@law.nyc.gov

212-356-2659

This message and any attached documents contain information from the Office of the Corporation Counsel that may be confidential and/or privileged. If you are not the intended recipient, you may not read, copy, distribute, or use this information. If you received this transmission in error, please notify the sender immediately by reply e-mail and then delete this message.

From: Marquez, Lillian <Lillian.Marquez@ag.ny.gov>
Sent: Thursday, March 30, 2023 9:13 AM
To: Braun, Daniel (Law) <dbraun@law.nyc.gov>; remy <remy@femmelaw.com>; NYC Law Protest Team <NYCLawProtestTeam@law.nyc.gov>
Cc: AG-NYPDLitigation <AG.NYPDLitigation@ag.ny.gov>; 'Gray Legal Team-External' <GrayLegalTeam@dwt.com>; 'Payne Litigation Team' <PayneLitigationTeam@nyclu.org>; 'Sow-Legal' <Sow-Legal@blhny.com>; 'rolonlegalteam.' <rolonlegalteam@aboushi.com>
Subject: RE: [EXTERNAL] 20-cv-8924, In re NYC Policing - Missing Administrative Guide

Daniel,

As noted in the request, we asked for the guides that existed at the time of the protests and now. You cite a copy that purports to be current, but that website even suggests that it is not complete, noting: “Ultimately, when the revision of the Patrol and Administrative guides are complete, the Administrative Guide will be published online in its entirety.” And there is no copy of the Administrative Guide that was in place as of May 2020. At least one of the few sections Defendants have produced from that version, Procedure No. 316-33, does not appear in the PDFs you’ve linked to. (See attached.) Indeed, there seem to be wide gaps in them, jumping, for instance, in the first PDF from Procedure No. 305-17 to 318-01.

We reiterate our request for the *full* versions of the former and current versions of the Admin Guide.

Lillian Marquez | Assistant Attorney General

New York State Office of the Attorney General, Civil Rights Bureau

28 Liberty St., New York, NY 10005

Tel: 212-416-6401 | lillian.marquez@ag.ny.gov | www.ag.ny.gov

Pronouns: She/Her/Hers

From: Braun, Daniel (Law) <dbraun@law.nyc.gov>
Sent: Tuesday, February 28, 2023 12:45 PM
To: remy <remy@femmelaw.com>; NYC Law Protest Team <NYCLawProtestTeam@law.nyc.gov>
Cc: AG-NYPDLitigation <AG.NYPDLitigation@ag.ny.gov>; 'Gray Legal Team-External' <GrayLegalTeam@dwt.com>; 'Payne Litigation Team' <PayneLitigationTeam@nyclu.org>; 'Sow-Legal' <Sow-Legal@blhny.com>; 'rolonlegalteam .' <rolonlegalteam@aboushi.com>
Subject: RE: [EXTERNAL] 20-cv-8924, In re NYC Policing - Missing Administrative Guide

Remy,

The Admin Guide is publicly available at <https://www.nyc.gov/site/nypd/about/about-nypd/manual.page>. Additionally, here is a link documenting the changes to the Admin Guide: https://www.nyc.gov/assets/nypd/downloads/pdf/public_information/Update1.pdf.

Yours,

Daniel M. Braun

Senior Counsel

Special Federal Litigation Division

Office of the Corporation Counsel

100 Church Street

New York, NY 10007

dbraun@law.nyc.gov

212-356-2659

This message and any attached documents contain information from the Office of the Corporation Counsel that may be confidential and/or privileged. If you are not the intended recipient, you may not read, copy, distribute,

or use this information. If you received this transmission in error, please notify the sender immediately by reply e-mail and then delete this message.

From: Braun, Daniel (Law)
Sent: Friday, February 24, 2023 4:43 PM
To: 'remy green' <remy@femmelaw.com>; NYC Law Protest Team <NYCLawProtestTeam@law.nyc.gov>
Cc: AG-NYPDLitigation <AG.NYPDLitigation@ag.ny.gov>; Gray Legal Team-External <GrayLegalTeam@dwt.com>; Payne Litigation Team <PayneLitigationTeam@nyclu.org>; Sow-Legal <Sow-Legal@blhny.com>; rolonlegalteam . <rolonlegalteam@aboushi.com>
Subject: RE: [EXTERNAL] 20-cv-8924, In re NYC Policing - Missing Administrative Guide

Remy,

We are continuing to look into this and will be back in touch with you about this early next week.

Yours,

Daniel M. Braun

Senior Counsel

Special Federal Litigation Division

Office of the Corporation Counsel

100 Church Street

New York, NY 10007

dbraun@law.nyc.gov

212-356-2659

This message and any attached documents contain information from the Office of the Corporation Counsel that may be confidential and/or privileged. If you are not the intended recipient, you may not read, copy, distribute, or use this information. If you received this transmission in error, please notify the sender immediately by reply e-mail and then delete this message.

From: remy green <remy@femmelaw.com>
Sent: Tuesday, February 21, 2023 1:11 PM
To: NYC Law Protest Team <NYCLawProtestTeam@law.nyc.gov>
Cc: AG-NYPLitigation <AG.NYPLitigation@ag.ny.gov>; Gray Legal Team-External <GrayLegalTeam@dwt.com>; Payne Litigation Team <PayneLitigationTeam@nyclu.org>; Sow-Legal <Sow-Legal@blhny.com>; rolonlegalteam . <rolonlegalteam@aboushi.com>
Subject: [EXTERNAL] 20-cv-8924, In re NYC Policing - Missing Administrative Guide

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Forward suspect email to phish@oti.nyc.gov as an attachment (Click the More button, then forward as attachment).

Dear all,

As we prepare for the raft of upcoming depositions, it appears to us that the City has never produced a version of the Administrative Guide. As we all know, the NYPD has been moving a lot of things formerly in the Patrol Guide into the Admin Guide, and it forms a core part of the NYPD's written policies. (and of course, the Admin Guide is not fully public)

Most urgent, from our perspective, is the version of the Admin Guide in effect during the Protests. The Admin Guide is responsive to (among other things) DR 1 in the consolidated requests, and the Chart (attached) does not state it was being withheld (meaning there are no possible live objections to producing it).

If Defendants believe the full Admin Guide was produced, apologies for this email, but please just give us a Bates number. If it was not, please produce the version in effect during the protests no later than 5:00 p.m. on Friday, February 3,

2023. If you are unsure, please just produce it anyway by that same time -- it certainly won't be the only document we have two copies of. We're happy to get a current version of the Admin Guide in something more like 2 weeks.

Otherwise, please consider this a request to meet and confer on a motion to compel immediate production of both (1) the current version and (2) the version in effect during the Protests of the Admin Guide on or before Thursday this week. Per Judge Gorenstein's rules, please respond with a date for that meeting within one business day.

Yours,

Remy.

J. Remy Green

Partner

| Cohen&Green P.L.L.C. | [#FemmeLaw](#) |
| remy@femmelaw.com (e) | (929) 888.9560 (direct) |
| (929) 888.9480 (p) | (929) 888.9457 (f) |
| [honorific / pronouns: Mx. / they, their, them](#) |
| 1639 Centre St., Ste. 216 | Ridgewood (Queens), NY 11385 |



IMPORTANT NOTICE: This e-mail, including any attachments, may be confidential, privileged or otherwise legally protected. It is intended only for the addressee. If you received this e-mail in error or from someone who was not authorized to send it to you, do not disseminate, copy or otherwise use this e-mail or its attachments. Please notify the sender immediately by reply e-mail and delete the e-mail from your system.